

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

CV 14

2225

DAVID POLLACK, Acting Regional Director of
Region 29 of the National Labor Relations Board,
for and on behalf of the NATIONAL LABOR
RELATIONS BOARD

Petitioner

-CV-

v.

GOLDEN FARM BROOKLYN, INC.
d/b/a GOLDEN FARM GROCERY

Respondent

FILED
CLERK
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
APR - 8 PM 1:51

GOLD, INC.

PROPOSED ORDER

This matter is before the Court pursuant to the verified petition of David Pollack, Acting Regional Director of Region 29 of the National Labor Relations Board, herein called the Board, by attorneys Emily A. Cabrera and Naoki Fujita. Upon notice to Golden Farm Brooklyn, Inc. d/b/a Golden Farm Grocery, herein called Respondent, and its counsel, and consideration of the petition, the entire record, the papers filed concerning the petition, the arguments of counsel, and having found reasonable cause to believe that Respondent violated Section 8(a)(1) and (5) of the National Labor Relations Act, as amended, herein called the Act, and having found that injunctive relief is just and proper,

It hereby is

ORDERED that the application by Petitioner for an injunction pursuant to Section 10(j) of the National Labor Relations Act against Respondent is granted, and it is further

ORDERED, ADJUDGED AND DECREED that Respondent, its officers, agents, representatives, servants, employees, attorneys, and all members and persons acting in concert or participation with them, are enjoined and restrained, pending the final disposition of the matters involved herein pending before the National Labor Relations Board, from, in any manner, or by any means:

Respondent, Golden Farm Brooklyn, Inc. d/b/a Golden Farm Grocery, its officers, agents, successors and assigns, shall

1) Cease and desist from:

(a) Threatening employees with termination because of their support for Local 338, Retail, Wholesale, and Department Store Union, United Food and Commercial Workers, "the Union;"

(b) Informing employees that support for the Union is futile;

(c) Instructing employees not to talk to other employees who support the Union;

(d) Promising employees additional hours of work if they sign a decertification petition;

(e) Failing and refusing to recognize and bargain in good faith with the Union;

(f) Withdrawing recognition from the Union; and

(g) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2) Further, Respondent, its officers, agents and representatives shall:

(a) Within 5 days of the District Court's order, meet and bargain in good faith with the Union on request for a minimum of 24 hours per month, for at least six hours per session, or another schedule mutually agreed on by the parties, until a complete collective-bargaining agreement or a good-faith impasse is reached.

(b) Post copies of the District Court's opinion and order in this matter at all locations where Respondent's notices to employees are customarily posted within 5 days of its issuance; maintain such notices free from all obstructions or defacements pending the Board's administrative proceeding; and grant to agents of the Board reasonable access to Respondent's facility to monitor compliance with this posting requirement; and

(c). Within twenty (20) days of the issuance of this Order, file with the District Court and serve a copy upon the Regional Director of Region 29 of the Board, a sworn affidavit from a responsible Respondent official which describes with specificity how Respondent has complied with the terms of this decree, including the exact locations where the Employer has posted the materials required under this Order.

(d). Within 10 days of the District Court's order, convene the bargaining unit employees during working time at Respondent's facility where a responsible management official, in the presence of a Board agent, or the Board agent in that official's presence, will read the order of the court to assembled employees.

Issued at Brooklyn, New York, this ____ day of _____.

So Ordered:

U.S.D.J.